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July 5, 1956

Attorney General

George F. Nelson

Public Welfare Employee Proposing
Candidacy for County Office and
Applicability of Hatch Act

Mr. James J. Barry, Commissioner
Public Welfare
State House
Concord, New Hampshire

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CONCORD, N.H.

Dear Mr. Barry:

Your inquiry as to whether one of your employees can run for county office while on a "leave of absence for a period of two or three months" must be answered in the negative.

Unless there is a complete determination of her association with your department she is in violation of Section 12a of the Act of August 2, 1939, as amended.

It was fortunate that this matter was seen in order to answer as promptly as you asked, in Mr. Bourque's absence. Requests for opinions should be addressed, to the Attorney General in the first instance and directed to the attention of the Assistant in order that they may pass through the central authority of this office.

Very truly yours,

George F. Nelson
Assistant Attorney General

GFN:W